

REMARKS

Please reconsider the application in view of the above amendments and the following remarks. Applicant thanks the Examiner for carefully considering this application.

Disposition of Claims

Claims 25-49 are pending in this application. Claims 25 and 27 are independent. The remaining claims depend, directly or indirectly, from claims 25 and 27.

Claim Objections

Claim 25 is objected to for a typographical error. Claim 25 is amended by this reply to remove the “is” after the phrase “phase connector” in line 7, in accordance with the Examiner’s suggestions. Accordingly, withdrawal of this objection is respectfully requested.

Rejection(s) under 35 U.S.C. § 102Claims 25-38, 44, 45, 47, and 48

Claims 25-38, 44, 45, 47, and 48 are rejected under 35 U.S.C. § 102(b) as being anticipated by US Patent No. 6,034,452 (“Nakamura”). This rejection is respectfully traversed.

In order to establish anticipation under 35 U.S.C. § 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. *See* MPEP § 2131. Applicants assert that Nakamura fails to disclose all the limitations of the independent claims.

Turning to the rejection, the Examiner asserts that elements 12, 16, and 18 in Figure 1 of Nakamura, collectively, are equated to the phase connector of the claimed invention, and that the elements labeled 2 and 21 in Figure 1 of Nakamura are equated with the polyphase wound stator recited in the claimed invention. *See* Action mailed July 30, 2008, p. 3. Nakamura describes element 16 in Figure 1 as a “bushing” with nuts and bolts (12, 18) on either side. Applicant asserts that the bushing of Nakamura is completely distinct from the phase connector of the claimed invention. Applicant respectfully asserts that by equating the bushing of Nakamura with the phase connector of the claimed invention, which is an electrical component well known in the art, the Examiner has either mischaracterized the disclosure of the prior art, or read out the limitation reciting a phase connector in the present claims, both of which are wholly improper.

Further, even assuming *arguendo* that the bushing of Nakamura includes features of a phase connector and is electrically connected to some component, the claimed invention clearly recites that the phase connector is *connected to the plurality of phase outputs* of the polyphase wound stator. This is not possible in Nakamura, because the phase connector (12, 16, and 18, Figure 1 of Nakamura) are not connected to the polyphase wound stator (2, 21, Figure 1 of Nakamura) at all, much less being connected to the phase outputs of the polyphase wound stator. In fact, Nakamura does not even mention that the stator (2, Figure 1 of Nakamura) includes a plurality of phase outputs to which the phase connector is connected.

In view of the above, it is clear that Nakamura fails to disclose each and every element recited in independent claims 25 and 27. Thus, claims 25 and 27 are patentable over Nakamura. Pending dependent claims are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 25, 27, 28, 31, 33, and 39-41

Claims 25, 27, 28, 31, 33, and 39-41 are rejected under 35 U.S.C. § 102(b) as being anticipated by US Publication No. 2001/0054853 (“Hayashi”). This rejection is respectfully traversed.

Initially, Applicant would like to respectfully assert that the Examiner has not met his burden to specifically point out the portions of the anticipating prior art reference that disclose each and every element of the claimed invention. It is the Examiner’s burden to specifically reference each portion of the prior art reference that anticipates the claimed limitations, and in the Office Action mailed on July 30, 2008, the Examiner’s rejection consists of less than 2 lines for independent claims 25 and 27. Clearly, the Examiner has not provided a thorough rejection. Applicant respectfully requests that the Examiner provide more thorough explanations for any future rejections that the Examiner may issue with respect to the claims. Specifically, Applicant requests that the Examiner avoid any omnibus rejections and refer directly to the portions of the cited references relied up on to reject specific limitations of the claims. More thorough explanations for the rejections will provide Applicant an opportunity to reply *completely* to those rejections and further prosecution. *See* MPEP §§ 706 and 707.07(d).

However, in an effort to further prosecution, Applicant addresses the Examiner’s rejection as follows. It appears that Hayashi discloses a rear cover (element 7, Figure 4 of Hayashi), which the Examiner equates with the protective outer cover claimed in the present application. However, Applicant respectfully asserts that Hayashi fails to disclose the limitation “wherein the phase connector and the protective outer cover are the same part.” In fact, Hayashi clearly discloses a separate phase connector (*see* Hayashi, Figure 2, element 9).

In view of the above, it is clear that Hayashi fails to disclose each and every element recited in independent claims 25 and 27. Thus, claims 25 and 27 are patentable over Hayashi. Pending dependent claims are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Rejection(s) under 35 U.S.C. § 103

Claims 42 and 43

Claims 42 and 43 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Hayashi in view of US Patent No. 4,841,182 (“Tsuchiya”). This rejection is respectfully traversed.

As described above, Hayashi fails to teach or suggest the limitations of independent claims 25 and 27. Further, Tsuchiya fails to supply that which Hayashi lacks, as evidenced by the fact that the Examiner relies on Tsuchiya solely for the purpose of teaching that the phase connection inputs are covered by a secondary cover mounted on the cover in the shape of a circle arc, and made of electrically insulating material. *See* Action mailed July 30, 2008, p. 7. In view of the above, it is clear that independent claims 25 and 27 are patentable over Hayashi and Tsuchiya, whether considered separately or in combination. Dependent claims 42 and 43 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Claims 46 and 49

Claims 46 and 49 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Nakamura in view of US Patent No. 6,424,065 (“Vlemmings”). This rejection is respectfully traversed.

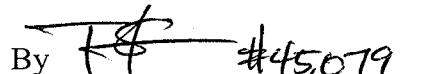
As described above, Nakamura fails to teach or suggest the limitations of independent claims 25 and 27. Further, Vlemmings fails to supply that which Nakamura lacks, as evidenced by the fact that the Examiner relies on Vlemmings solely for the purpose of teaching that the polyphase rotating electrical machine is an alternator-starter comprising a sensor holder mounted under the bottom of the cover, and a sensor holder connector that passes radially through an opening of the cover. *See* Action mailed July 30, 2008, p. 8. In view of the above, it is clear that independent claims 25 and 27 are patentable over Nakamura and Vlemmings, whether considered separately or in combination. Dependent claims 46 and 49 are patentable for at least the same reasons. Accordingly, withdrawal of this rejection is respectfully requested.

Conclusion

Applicant believes this reply is fully responsive to all outstanding issues and places this application in condition for allowance. If this belief is incorrect, or other issues arise, the Examiner is encouraged to contact the undersigned or his associates at the telephone number listed below. Please apply any charges not covered, or any credits, to Deposit Account 50-0591 (Reference Number 17170/010001).

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Respectfully submitted,

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